

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/590,699 Confirmation No. : 3820
First Named Inventor : Ulrich PRECHTEL
Filed : May 23, 2007
TC/A.U. : 2832
Examiner : Bernard ROJAS
Docket No. : 056226.57920US
Customer No. : 23911

Title : High Frequency MEMS Switch Having a Bent Switching
Element and Method for Its Production

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

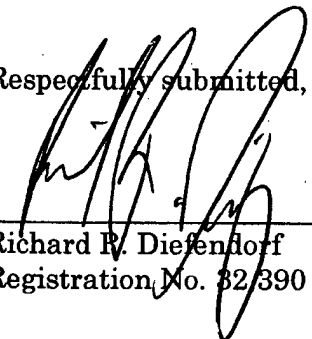
This Reply is respectfully submitted in response to the Office Action dated December 30, 2008.

The rejections under 35 U.S.C. §§ 102(e) and 103(a) presented in the Office Action are both based on U.S. Patent 7,453,339 to Fork et al. Under U.S. law, the Fork et al. patent is effective as a reference as of its December 2, 2005, filing date. This December 2, 2005, effective date is after the February 25, 2005, filing date of international PCT application PCT/DE2005/000317, which entered the U.S. national phase as the present U.S. Patent application. A certified English language translation of international PCT application PCT/DE2005/000317 is submitted herewith, and it is respectfully submitted that the rejections based on the Fork et al. patent relied on should be withdrawn.

If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056226.57920US).

Respectfully submitted,



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March 24, 2009

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